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In re Application of :
Park et al. :
Application No.: 10/582,196 :
PCT No.: PCT/KR2004/003030 :
Int. Filing Date: 23 November 2004 : DECISION
Earliest Priority Date: 15 December 2003 :
Attorney Docket No.: 93874.00201 :
For: E. Coli Mutant Containing Mutant Genes Related With:
Tryptophan Biosynthesis And Production Method... :

This is in response to the status inquiry filed on 05 November 2007, and the correspondence filed on 09 June 2006.

BACKGROUND

International application PCT/KR2004/003030 was filed on 23 November 2004, claimed an earliest priority date of 15 December 2003, and designated the United States. The International Bureau communicated a copy of the published international application to the USPTO on 23 June 2005. The 30-month period for payment of the basic national fee in the U.S. expired as of midnight on 15 June 2006. A basic national fee was paid in application no. 10/582,196 on 09 June 2006.

On 22 April 2008, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to counsel, requiring an oath or declaration compliant with 37 CFR 1.497(a) and (b), a surcharge under 37 CFR 1.492(h), as well as enumerated requirements related to the sequence listing under 37 CFR 1.821-1.825.

DISCUSSION

In response to the Status Inquiry, review of the application file reveals ambiguity as to which international application was intended to enter the national stage. The Transmittal Letter filed on 09 June 2006 is directed to international application no. "PCT/KR2004/00303," but the claims, specification and drawings refer to "PCT/KR2004/003030," and the international filing date and priority date listed on the Transmittal Letter match those shown for PCT/KR2004/003030. In view of this discrepancy, it is not adequately clear which international application was intended to enter the national stage in the United States. A proper petition under 37 CFR 1.182 (and associated petition fee) is required in order to resolve this ambiguity.

CONCLUSION

Applicants have **TWO (2) MONTHS** from the mailing date of this decision, extendable under 37 CFR 1.136(a), to file a response clarifying the status of the papers submitted on 09 June 2006.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

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